

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

IAN V. JACOBS,

Plaintiff,

vs.

FAREPORTAL, INC.,

Defendant.

8:17CV362

ORDER

After conferring with counsel, (Filing No. 149, audio file),

IT IS ORDERED that as to Plaintiff's proposed third-party subpoena to be served on Corsearch, Inc., and Defendant's objections thereto,

- 1) Document Request No. 3 is withdrawn with Plaintiff's consent.
- 2) Document Request No. 6 shall be modified to request "Documents and communications with third parties acting by or on behalf of Fareportal relating to the Cheapo Mark or cheapo.com."
- 3) Any documents produced by Corsearch in response to the subpoena shall be provided to Defendant's counsel, and not directly to Plaintiff's counsel.
- 4) With the foregoing modifications to the subpoena language, the subpoena may be served on Corsearch, Inc.
- 5) Upon receipt of any documents from Corsearch, Inc. in response to Plaintiff's subpoena, defense counsel shall promptly review the documents and produce any unprivileged documents to Plaintiff's counsel. If any documents are withheld from production to Plaintiff's counsel by Defendant, defense counsel shall promptly contact the court and opposing counsel to discuss the procedure and schedule for resolving Defendant's privilege and/or work product objections.

March 20, 2019.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge